

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

REC'D 19 APR 2005

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| Applicant's or agent's file reference OPP021538KR | FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416) | |
| International application No. PCT/KR2002/002500 | International filing date (day/month/year) 30 DECEMBER 2002 (30.12.2002) | Priority date (day/month/year) 12 DECEMBER 2002 (12.12.2002) |
| International Patent Classification (IPC) or national classification and IPC IPC7 H04B 7/26 | | |
| Applicant ELECTRONICS AND TELECOMMUNICATIONS RESEARCH INSTITUTE et al | | |

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.



2. This REPORT consists of a total of 4 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of _____ sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

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|---|---|
| Date of submission of the demand 12 JULY 2004 (12.07.2004) | Date of completion of this report 31 MARCH 2005 (31.03.2005) |
| Name and mailing address of the IPEA/KR  Korean Intellectual Property Office 920 Dunsan-dong, Seo-gu, Daejeon 302-701, Republic of Korea Facsimile No. 82-42-472-7140 | Authorized officer SHIN, Jun Ho  Telephone No. 82-42-481-8129 |

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/KR2002/002500

I. Basis of the report

1. With regard to the elements of the international application:*

- ☒ the international application as originally filed
- ☐ the description:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the claims:
pages _____, as originally filed
pages _____, as amended (together with any statement) under Article 19
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the drawings:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language English which is

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☒ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed." and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item I and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION

International application No.

PCT/KR2002/002500

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

| | | | |
|-------------------------------|--------|--------|-----|
| Novelty (N) | Claims | 1 - 10 | YES |
| | Claims | NONE | NO |
| Inventive step (IS) | Claims | NONE | YES |
| | Claims | 1 - 10 | NO |
| Industrial applicability (IA) | Claims | 1 - 10 | YES |
| | Claims | NONE | NO |

2. Citations and explanations (Rule 70.7)

1. NOVELTY AND INVENTIVE STEP

Reference is made to the following documents:

D1 : JP 2001-95058 (NEC CORPORATION) 6 April 2001

D2 : US 6233452 (INTERNATIONAL BUSINESS MACHINES CORPORATION) 15 May 2001

D1 discloses a method of examining a dial-up access point (corresponding to "LAN access point" in claim 1) in a radio information processing terminal including a GPS unit, a radio modem part (corresponding to "wireless LAN module" in claim 1), and the method comprising the steps of: (b) calculating a current location data of the said terminal through the said GPS unit (D1, paragraph[0028]); (c) determining a dial number of an optimal dial-up access point through comparing a location data in a dial-up access point DB and the said current location data of the said terminal. (D1, paragraph[0030])

But the subject matter of claim 1 is different from D1 in that claim 1 additionally includes the steps of : (a) acquiring location information of the wireless LAN access point (AP) provided in a service area of a base station from the base station connected through the mobile communication module; and (d) driving the wireless LAN module to detect a beacon signal periodically output by the wireless LAN AP.

However, the said difference is disclosed in D2 wherein (a) the said terminal updates an association table which includes exchange's IDs (callers' locations) and access points' telephone numbers via wireless transmission from a contracted internet provider, and (d) each base station periodically transmits notification information of location registration for the said terminal when the said terminal moves in another cell. (D2, column13 lines 13-33) So, the subject matter of claim 1 is obvious to a skilled person in a mobile communication if D1 and D2 are combined.

Therefore, the subject matter of claim 1 and corresponding claims is considered to lack an inventive step.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International Application No.

PCT/KR2002/002500

Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of:

The additional feature of dependant claim 2 is about a registration and updating method which is well known to a skilled person in a communication system. Therefore, claim 2 is considered to lack an inventive step, too.

The additional features of dependant claims 3-6 are also about simple design modulations which are well known to a skilled person in a communication system, and can be derivable from D1 and D2. Therefore, claims 3-6 are considered to lack an inventive step.

Claims 7-9 relate to an apparatus using the method of claim 1, and claim 10 relates to a computer readable recording medium for the method of claim 1. Therefore, claim 7-10 are also considered to lack an inventive step.

2. INDUSTRIAL APPLICABILITY

The subject matter of claims 1-10 is considered to have an industrial applicability under PCT Article 33(4).